



JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF CORRECTIONS
LANSING

PATRICIA L. CARUSO
DIRECTOR

DIRECTOR'S OFFICE MEMORANDUM 2009 - 3

EFFECTIVE: Immediately

DATE: January 1, 2009

TO: Executive Policy Team
Administrative Management Team
Wardens

FROM: Patricia L. Caruso, Director

SUBJECT: HIV/Hepatitis C Screening and Testing Requirements

SUPERSEDES DOM 2008 - 6 (effective 02/19/08)

The 2007-2008 and 2008-2009 Appropriations Bills for this Department included HIV and Hepatitis C (HCV) screening and, in some cases, testing requirements for prisoners. The purpose of this Director's Office Memorandum is to set forth necessary revisions to PD 03.04.100 "Health Services" and PD 03.04.120 "Control of Communicable Bloodborne Diseases" to bring those policy directives in compliance with requirements set forth in the Appropriations Bill and current health care practices.

Reception Facilities

The current Appropriations Bill requires that prisoners be tested for HIV at reception facilities. The Bill also requires HCV risk factor screening to be performed on each prisoner and, if HCV risk factors are identified, HCV testing offered to the prisoner. PD 03.04.100 currently requires that HIV testing be conducted for each prisoner within 14 calendar days after arrival at a reception facility as set forth in PD 03.04.120. PD 03.04.100 is hereby revised to provide the required HCV risk factor screening within the same time period. A prisoner who has identified HCV risk factors shall be offered HCV testing, and each consenting prisoner tested, during this same time period consistent with the requirements for HIV testing set forth in Paragraph W of PD 03.04.120. HCV education and counseling shall be provided prior to any HCV testing. The test results shall be provided confidentially to the prisoner along with any recommended follow-up medical care and treatment.

Annual Health Care Screening

At reception, prisoners are provided education and counseling on HIV and HCV, which includes information on prevention and the risks associated with exposure. This education and counseling shall again be provided to prisoners both verbally and in writing at the time of the prisoner's annual health care screening.

Parole from Correctional Facilities Administration (CFA) Institution, Transfer to Community Residential Programs (CRP), and Discharge

The current Appropriations Bill requires HIV and HCV testing of prisoners prior to their parole from a CFA institution to the community (including parole directly to a residential program in the community), transfer to CRP, or discharge on maximum sentence. Wardens shall ensure that the prisoner is referred to health care staff for testing prior to release unless the prisoner is known to be HIV or HCV positive, as applicable. HIV and HCV education and counseling shall be provided prior to the testing. The test results shall be provided confidentially to the prisoner along with any recommended follow-up medical care and treatment.

If a prisoner paroling or transferring to CRP refuses to be tested, either the Office of the Parole Board or the CRP Unit, as appropriate, shall be notified; in such cases, the prisoner shall not be paroled or transferred to CRP. If the prisoner subsequently agrees to testing, the Office of the Parole Board or the CRP Unit, as appropriate, shall be notified and shall determine if the parole or transfer should be reinstated.

If a discharging prisoner refuses to be tested, appropriate health care staff shall notify the Administrator of the Bureau of Health Care Services (BHCS) through the appropriate chain of command. The BHCS Administrator shall consult with the CFA Deputy Director and the Administrator of the Office of Legal Affairs for direction on how to proceed.

PD 03.04.100 currently requires voluntary alanine aminotransferase (ALT) testing of prisoners prior to parole, transfer to CRP, or discharge. Due to the new screening and testing requirements set forth above, prisoners will no longer be offered a voluntary ALT test prior to release.

PLC:OLA